

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.)	CASE NO. 1:08 CV 2755
)	
Plaintiff,)	JUDGE LESLEY WELLS
)	
v.)	
)	
SAP AMERICA, INC., et al.)	
)	
Defendants.)	
)	

**PLAINTIFF’S OBJECTIONS TO THE WITNESS LIST OF DEFENDANTS
SAP AMERICA, INC. AND SAP AG**

Plaintiff Hodell-Natco Industries, Inc., through undersigned counsel, submits the following Objections to the Trial Witness List [ECF #211] filed by Defendants SAP America, Inc. and SAP AG (“Defendants” or “SAP”).

GENERAL OBJECTIONS

1. Plaintiff objects to all witness testimony for which a proper foundation has not been laid. Plaintiff specifically reserves the right to raise objections regarding foundation at the trial of this matter.
2. Plaintiff specifically reserves the right to raise at trial any objection to any witness testimony proffered by any party on the grounds of relevance, hearsay, or other grounds depending upon how such testimony may be used, introduced, or offered at trial.
3. Plaintiff reserves the right to object to any witness testimony depending upon the purpose for which it is offered at trial.

4. Plaintiff reserves the right to object to the introduction of any witness testimony on any basis that may become apparent during the course of trial including, without limitation, the grounds of parol evidence and hearsay.

5. Plaintiff objects to the testimony of Michael Lovelace and Jay Sheldon for the reasons stated in Plaintiff's separately-filed Motion in Limine.

6. Plaintiff objects to the testimony of any witnesses identified by SAP on the bases of any motions in limine filed, or to be filed, by Plaintiff.

7. Plaintiff objects to the testimony of any witness whose testimony is to be presented by deposition on any basis identified in Plaintiff's Objections to SAP's deposition designations.

8. Plaintiff objects to the testimony of any lay witness to the extent it contains opinion testimony precluded by Fed. R. Evid. 701.

9. Plaintiff reserves the right to withdraw, amend, or supplement any of the objections made herein prior to or during the trial of this matter.

Respectfully submitted,

/s/ P. Wesley Lambert

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*Attorneys for Plaintiff Hodell-Natco
Industries, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October, 2014 a copy of the foregoing Objections to the Trial Witness List of SAP America, Inc. and SAP AG was filed and served electronically upon counsel for SAP, and was sent by Email and First Class Mail to the following parties:

LSI-Lowery Systems, Inc.
c/o Chris Kellett
cpk@carmodymacdonald.com

IBIS Group, Inc
c/o John T. Grobe
1749 Naperville Road, Suite 203
Wheaton, IL 60187

/s/ P. Wesley Lambert
P. Wesley Lambert (0076961)